

IN RE: PETITION FOR ZONING VARIANCE  
W/S Stonehaven Road, 495' S  
of Stonebrook Road,  
(8815 Stonehaven Road)  
2nd Election District  
2nd Election District  
Lenny Moore, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-276-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a minimum sum of side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed garage addition as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Lenny Moore, appeared and testified. Also appearing on behalf of the Petition was Richard Smith, Contractor. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of February, 1989 that the Petition for Zoning Variance to permit a minimum sum of side yard setbacks of 20 feet in lieu of the required 25 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

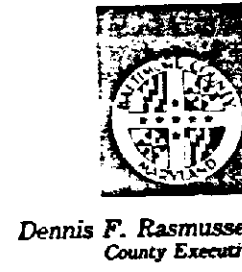
- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 837-3333  
J. Robert Haines  
Zoning Commissioner

February 10, 1989



Mr. & Mrs. Lenny Moore  
8815 Stonehaven Road  
Randalltown, Maryland 21133

RE: PETITION FOR ZONING VARIANCE  
W/S Stonehaven Road, 495' S of Stonebrook Road  
(8815 Stonehaven Road)  
2nd Election District - 2nd Councilmanic District  
Lenny Moore, et ux - Petitioners  
Case No. 89-276-A

Dear Mr. & Mrs. Moore:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B. (208.3) To allow a minimum sum of side yard setbacks of 20 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

We are applying for a zoning variance due to the fact we can only obtain 20' total distance on both sides of the property lines.

used as prescribed by Zoning Regulations.

We have Variance advertising, posting, etc., upon filing of this petition, and we are bound by the zoning regulations and restrictions of Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):  
LENNY MOORE  
(Type or Print Name)  
Lenny Moore  
(Signature)  
JEFF H. HAINES  
(Type or Print Name)  
Edith H. Moore  
(Signature)

8815 STONEHAVEN RD. 655-6239  
Phone No.  
RANDALLTOWN, MD. 21133  
City and State

Name, address and phone number of legal owner, contractor purchaser or representative to be contacted

City and State Name Address Phone No.

Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of Dec 1989 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of JAN, 1989, at 2 o'clock P.M.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., January 5, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 5, 1989.

THE JEFFERSONIAN,

*S. Zafe Orlov*  
Publisher

PO 07860  
reg M25137  
case 89-276-A  
price \$ 37.63

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 2:00 p.m. on Tuesday, January 24, 1989 at 2:00 p.m.

Petition for Zoning Variance  
Case number 89-276-A  
W/S Stonehaven Road, 495' S of Stonebrook Road,  
8815 Stonehaven Road,  
2nd Election District - 2nd Councilmanic District  
Lenny Moore, et ux  
Hearing Date: Tuesday, Jan. 24, 1989 at 2:00 p.m.

Variance to allow a sum of side yard setbacks of 20 feet in lieu of the required 25 feet.

In the event that the petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and presented in the office by the date of the hearing set above or presented at the hearing.

For information, the Zoning Commissioner of Baltimore County is located at 111 W. Chesapeake Avenue in Towson, Maryland 21204.

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 2:00 p.m. on Tuesday, January 24, 1989 at 2:00 p.m.

#### NEWSPAPERS OF MARYLAND, INC.

ister, Md., Jan. 19, 1989

the annexed petition for a zoning variance to allow a minimum sum of side yard setbacks of 20 feet in lieu of the required 25 feet.

successive weeks/days previous January 19, 1989, in the

mes, a daily newspaper published in Baltimore County, Maryland.

estminster, Carroll County, Maryland.

vs, a weekly newspaper published in Baltimore County, Maryland.

a weekly newspaper published in Baltimore County, Maryland.

WSPAPERS OF MARYLAND, INC.

Per J. Robert Haines

Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Lenny Moore

File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 1/30/89



Mr. & Mrs. Lenny Moore  
8815 Stonehaven Road  
Randalltown, Maryland 21133

Re: Petition for Zoning Variance  
W/S Stonehaven Road, 495' S of Stonebrook Road  
(8815 Stonehaven Road)  
2nd Election District - 2nd Councilmanic District  
Petitioner(s): Lenny Moore, et ux  
HEARING SCHEDULED: TUESDAY, JANUARY 24, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Moore:

Please be advised that \$99.79 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 111 W. Chesapeake Avenue in Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND No. 035805  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 2/3/89 ACCOUNT R-01-615-000  
AMOUNT \$ 99.79  
RECEIVED FROM Lenny Moore  
FOR P.C. 1-24-89 hearing of 89-276-A  
VALIDATION OF SIGNATURE OF CASHIER  
DATE: 2/3/89 TIME: 1:00 PM BY: J. Robert Haines

#### ZONING DESCRIPTION

Beginning on South side of Stonehaven Road 50'

wide, at the distance of 495' South of centerline of Stonebrook

being Lot #7, Block B in the subdivision of Fieldstone #4, Book

#30, Folio #39. Also known as 8815 Stonehaven Road in the second

Election District

#### CERTIFICATE OF POSTING

District 2nd Date of Posting January 2, 1989  
Posted for: Variance  
Petitioner: Lenny Moore, et ux  
Location of property: W/S Stonehaven Road, 495' S of Stonebrook Road (8815 Stonehaven Road)  
Location of Sign: On front of 8815 Stonehaven Road  
Remarks: L. J. Grata  
Posted by: L. J. Grata Date of return: January 6, 1989  
Number of Signs: 1



**Plat for Zoning Variance** OWNER: Lenny & Edith Moore

**HOUSE LOCATION SURVEY**

Zoning: DR-3.5  
 District: 2nd  
 Subdivision: Fieldstone #4  
 Block 8 Lot 7 Book 30 Page 39

Existing 4 1/2 ft. ties in Stonehaven Rd.  
 Lot size: 13,860 sq. ft. (318.42) ±  
 Iron Bar Set

**STONEHAVEN ROAD**  
 (50' R/W)

**PETITIONER'S EXHIBIT 1**

**SURVEYOR'S CERTIFICATE**

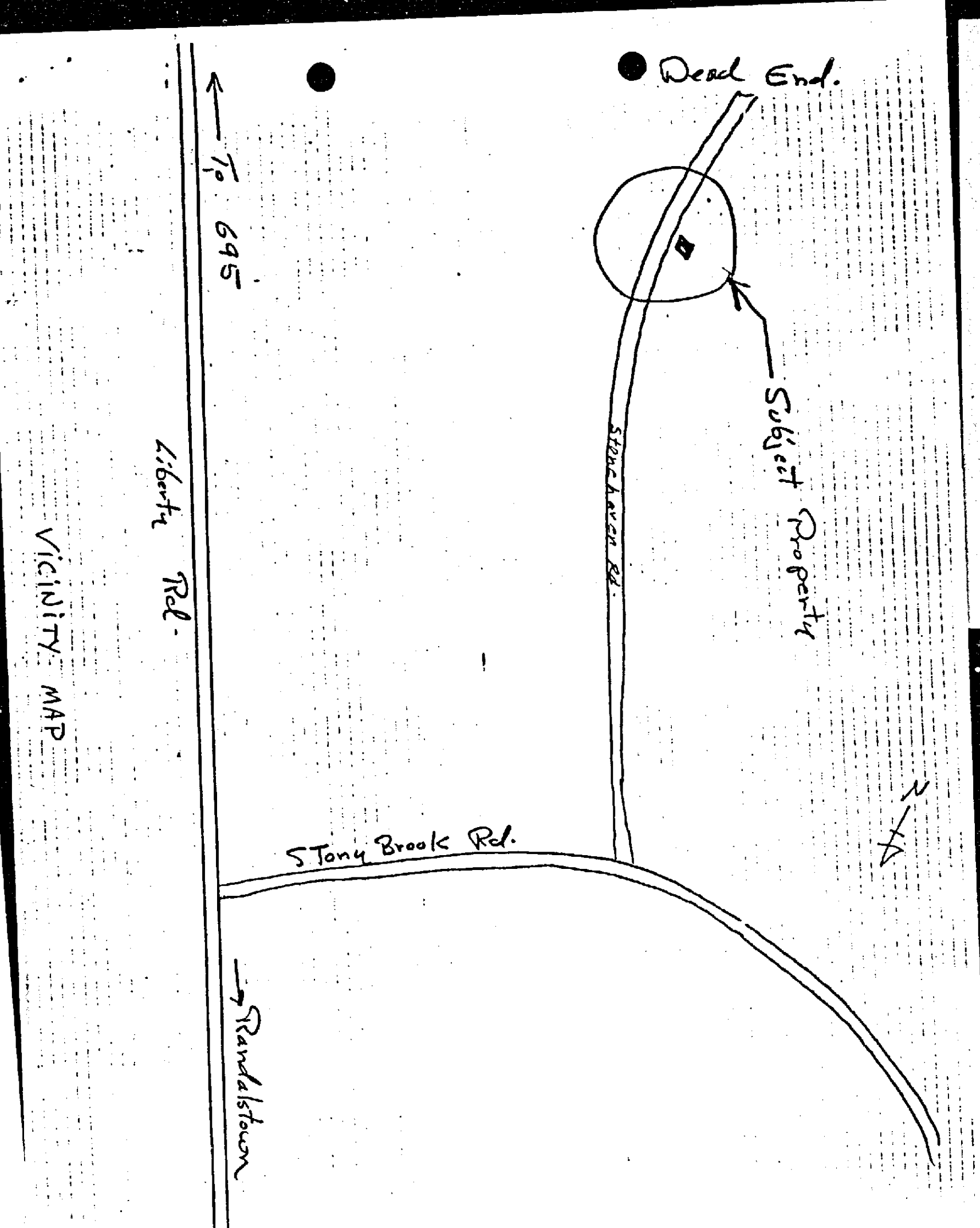
I hereby certify that the position of the existing improvements shown hereon has been carefully established by accepted land surveying practices and that same shown there are no encroachments. This plan was prepared in accordance with the provisions of the Subdivision and Land Use Act of 1954 and is to be used in determining property lines.

DATE: 11/17/88  
 SURVEYOR: J. R. Haines  
 No. 100, State Highway, Ellicott City, Md.

**LOCATION SURVEY #233**

8815 Stonehaven Rd.  
 12th Election District  
 Baltimore Co., Md.

REFERENCE	Drawn by	Checked by
Plan Book 30	MB	DND
Page 30	Date 15 Nov 1988	Record No.
File 30	Scale 1" = 30'	



**89-276-A**

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this  
 17th day of December, 1988.

*J. Robert Haines*  
 J. ROBERT HAINES  
 ZONING COMMISSIONER

Petitioner: Lenny Moore, et ux  
 Petitioner's Attorney: \_\_\_\_\_

Received by: James E. Dyer  
 Chairman, Zoning Plans Advisory Committee

Baltimore County  
 Fire Department  
 Towson, Maryland 21204-2586  
 484-4500

December 29, 1988

J. Robert Haines, Zoning Commissioner  
 Office of Planning & Zoning  
 Baltimore County Office Building  
 Towson, Maryland 21204

Re: Property Owner: Lenny Moore, et ux  
 Location: W/S Stonehaven Rd, 495' S. of Stonybrook Rd.  
 8815 Stonehaven Road  
 Item No.: 233 Zoning Agenda: Meeting of 12/13/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *J. R. Haines* 12/29/88 NOTED & APPROVED: \_\_\_\_\_  
 Planning Group Fire Prevention Bureau  
 Special Inspection Division

/s/

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

January 17, 1989

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

Mr. & Mrs. Lenny Moore  
 8815 Stonehaven Road  
 Randalltown, Maryland 21133

RE: Item No. 233, Case No. 89-276-A  
 Petitioner: Lenny Moore, et ux  
 Petition for Zoning Variance

**MEMBERS**

Bureau of Engineering  
 Department of Traffic Engineering  
 State Roads Commission  
 Bureau of Fire Prevention  
 Health Department  
 Project Planning  
 Building Department  
 Board of Education  
 Social Administration  
 Industrial Development

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*James E. Dyer*  
 JAMES E. DYER  
 Chairman  
 Zoning Plans Advisory Committee

JED:dt  
 Enclosures

BALTIMORE COUNTY, MARYLAND  
 INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer  
 Zoning Supervisor

DATE: November 2, 1988

FROM: James H. Thom, on  
 Zoning Enforcement Coordinator

RE: Item No. 89-154-A (if known)  
 Petitioner: Wagner (if known)

VIOLATION CASE # C-89-158

LOCATION OF VIOLATION 404 Thackery Avenue

DEFENDANT James O. and Norma V. Wagner

ADDRESS 404 Thackery Avenue Baltimore, MD 21228

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Anthony Couerri	402 Thackery Avenue Baltimore, MD 21228

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/

Dear Mr. Haines,

Enclosed is the check for the amount mailed to me. The problem was, there was no amount when I returned the sign, Jan 25th.

Hope this is the final transaction!

Sincerely,  
*Lenny Moore*

89-276-A